

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**DONOVAN HENDERSON,
ADC #104041**

PLAINTIFF

V.

CASE NO. 4:20-CV-26-BRW-BD

RORY GRIFFIN, *et al.*

DEFENDANTS

ORDER

I have received a Recommendation from Magistrate Judge Beth Deere. The parties have not filed objections. After careful review of the Recommendation and the record, I approve and adopt the Recommendation in all respects.

The Medical Defendants' motion for partial summary judgment (Doc. No. 28) is GRANTED, in part, and DENIED, in part. Mr. Henderson may proceed on his claims that the Medical Defendants, including Defendant Onyia-Murphy, failed to transfer him from the Maximum Security Unit to a medical facility, such as the Ouachita River Unit, as raised in grievances MX-19-1522 and MX-191554.

Defendant Griffin's motion for summary judgment (Doc. No. 32) is GRANTED. Claims against Defendant Griffin are DISMISSED, without prejudice, based on Mr. Henderson's failure to exhaust his administrative remedies prior to filing this lawsuit. The Clerk is instructed to terminate Defendant Griffin as a party Defendant.

IT IS SO ORDERED, this 10th day of June, 2020.

Billy Roy Wilson
UNITED STATES DISTRICT JUDGE